

# ASSEMBLY LOCAL GOVERNMENT COMMITTEE

## 2009 LEGISLATIVE SUMMARY

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### **Members:**

Anna M. Caballero, Chair  
Steve Knight, Vice Chair  
Juan Arambula  
Mike Davis  
Michael D. Duvall  
Paul Krekorian  
Nancy Skinner

### **Consultants:**

Katie Kolitsos  
Debbie Michel  
Jennifer R. Klein

### **Secretary:**

Dixie Petty

October 30, 2009

TO ALL INTERESTED PARTIES:

Enclosed is a summary of bills introduced in the first year of the 2009-10 legislative session that impact local government. The summary includes a brief description and final status of all bills, divided into five main categories: Land Use and Housing; Local Government Finance; Local Powers and Duties; Open Meetings & Conflict of Interest; and, Special Districts. For quick and easy reference, please see the table of contents in the front of this document or the index located at the end.

Bills marked with an asterisk (\*) were amended and subsequently utilized as vehicles for other bill proposals, some of which stayed within the Committee's jurisdiction. Bills marked with a double asterisk (\*\*) are related to the topic areas of this Committee, but were not referred to the Committee.

Additional information regarding this summary can be obtained through the committee office at (916) 319-3958.

Sincerely,

A handwritten signature in black ink, appearing to read "Anna M. Caballero", with a long horizontal flourish extending to the right.

Anna M. Caballero, Chair  
Assembly Local Government Committee

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### LAND USE AND HOUSING

**AB 45 (Blakeslee)      Distributed generation: small wind energy systems.**

Reenacts a lapsed authorization for local governments to provide, by ordinance, for the installation of small wind energy systems, as defined, and requires local governments that have not provided such authorization by a specified date to approve applications for small wind energy systems by right if certain conditions are met by the applicants.

**Status:** Chapter 404, Statutes of 2009

**AB 55 (Jeffries)      Water supply planning.**

Revises definition of "project" to provide that specified business, commercial, hotel or motel, industrial, manufacturing, and mixed-use developments are within the scope of that definition only if the projected water demand of the development would be equivalent to, or greater than, the amount of water required by a 500 dwelling unit project, as determined by the public water system. **Status:** Referred to Assembly Committees on Water Parks and Wildlife and Local Government.

**AB 133 (Smyth)      Subdivisions: major thoroughfares.**

Authorizes a local agency to establish a fund for a benefit area that covers all of the bridge and major thoroughfare projects in that benefit area when that benefit area is one in which more than one bridge or major thoroughfare is required to be constructed. The definition of "construction" would be expended to include the unincorporated area of Los Angeles County for purposes of design, acquisition of rights-of-way, actual construction, and reasonable administrative expenses, as specified. **Status:** Referred to Assembly Local Government Committee. In committee: Set, first hearing. Hearing canceled at the request of author.

**AB 300 (Caballero)      Subdivisions: water supply.**

Requires, until January 1, 2017, if a project applicant elects to include voluntary demand management measures, any city, county, or public water system preparing a water supply assessment for a development project, as defined, to reduce the anticipated water demand for the project based on the project applicant's voluntary water demand management measures.

**Status:** In Senate Natural Resources and Water Committee: Set, first hearing. Testimony taken. Further hearing to be set.



**AB 333 (Fuentes) Land use: subdivision maps: expiration dates.**

Extends the expiration date by 24 months for specified subdivision maps that will expire before January 1, 2012, and for any legislative, administrative or other approval by a state agency relating to a development project in the subdivision.

**Status: Chapter 18, Statutes of 2009**

**AB 338 (Ma) Transit village developments: infrastructure financing.**

Would have allowed local officials to divert property tax increment revenues to pay for public facilities and amenities within transit village development districts.

**Status: Vetoed**

**AB 408 (Saldaña) Local planning: water supplies.**

Requires the local planning agency to additionally notify the California regional water quality control board servicing the area before adopting or amending the general plan. Requires the regional board, upon receiving this notice, to provide the local planning agency with certain information regarding implementation of low-impact development water management to increase local water supplies by increasing stormwater recharge and reuse. **Status: Referred to Assembly Committees on Local Government and Water, Parks and Wildlife. In Local Government Committee: Set, first hearing. Hearing canceled at the request of author.**

**AB 444 (Caballero) Land use: natural resources: transfer of long-term management funds.**

Would have clarified that funds set aside for long-term management of mitigation lands conveyed to a nonprofit organization may also be conveyed to the nonprofit, and authorizes the nonprofit to hold, manage, invest, and disburse the funds for management and stewardship of the land or easement for which the funds were set aside.

**Status: Vetoed**

**AB 473 (Blumenfield) Solid waste: recycling: multifamily dwellings.**

Would have required, on and after July 1, 2010, an owner of a multifamily dwelling to provide recycling services.

**Status: Vetoed**

**AB 494 (Caballero) Local planning: agricultural laborer housing.**

Exempts from the Subdivision Map Act the lease of agricultural zoned land to nonprofit organizations for the purpose of operating an agricultural labor housing project if the property meets three conditions: (1) the property is not more than five acres; (2) the lease is for at least 30 years; and (3) the lease is signed before January 1, 2017.

**Status: Chapter 447, Statutes of 2009**

**AB 558 (Portantino) Land use planning: housing element: foster youth placement.**

Allows a city to reduce its regional housing need allocation (RHNA) by up to 10% if it adopts a program to actively promote and assist in the placement of foster youth in existing family-based households. **Status: Referred to Assembly Committees on Local Government and Housing and Community Development. In Housing and Community Development Committee: Set, first hearing. Hearing canceled at the request of author.**

**AB 566 (Nava)                      Mobilehome parks: conversion.**

Would have allowed a local government to consider the level of support among current residents when deciding whether to approve or disapprove the conversion of a rental mobilehome park to resident ownership.

**Status: Vetoed**

**AB 594 (Harkey)                      Land use: housing element.**

Authorizes the Department of Housing and Community Development to allow a city, county, or city and county to substitute the provision of units for up to 50% of its site identification obligation if it includes in its housing element a program to provide units within the city or county in any income category that will be made available to low- and very-low income households through the provision of committed assistance, as defined. **Status:** *Re-referred to Assembly Committees on Local Government and Housing and Community Development.*

**AB 596 (Evans)                      Community planning grants.**

Establishes the Community Planning Grant and Loan Fund (Fund) and authorizes the Strategic Growth Council to expend the revenues in the Fund, upon appropriation by the Legislature, to carry out the Community Planning Grant and Loan Program established under this measure.

**Status:** *In Assembly Appropriations Committee: Set, second hearing. Held under submission.*

**AB 650 (Hill)                      Real property: City of Half Moon Bay.**

Directs the state to loan \$10 million to the City of Half Moon Bay to assist in the purchase of the Beachwood Property. **Status:** *Re-referred to Assembly Appropriations Committee pursuant to Assembly Rule 77.2.*

**AB 666 (Jones)                      Subdivision maps.**

Would have required the legislative body of a county to make three specified findings before approving a tentative map or a parcel map for an area located in a state responsibility area or a very high fire hazard severity zone as designated by the Department of Forestry and Fire Protection.

**Status: Vetoed**

**AB 694 (Saldaña)                      Tidelands and submerged lands: City of San Diego.**

Would have repealed Chapter 642 of the Statutes of 1929 which removed the "tidelands" designation on all land shoreward of the bulkhead in City of San Diego and declared them to be free from all public trusts and restrictions.

**Status: Vetoed**

**AB 720 (Caballero)                      Land use: housing element.**

Expands the timeline for a local government to provide committed assistance for the rehabilitation of affordable housing units.

**Status: Chapter 467, Statutes of 2009**

**AB 782 (Jeffries)      Regional transportation plans: sustainable communities strategies.**  
Prohibits judicial review of specified Air Resources Board and local government decisions related to greenhouse gas emissions and land use and expands specified California Environmental Quality Act (CEQA) exemptions which are currently available only to a residential project to any project. **Status:** *Referred to Assembly Committees on Natural Resources and Local Government. In Natural Resources Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 810 (Caballero)      Circulation and transportation element.**  
Renames the circulation element in local general plans as the circulation and transportation element and makes the same change in seven other statutes that contain cross-references to the circulation element. **Status:** *Referred to Senate Local Government Committee.*

**AB 853 (Arambula)      Local government: organization.**  
Establishes a process for the annexation of unincorporated fringe or island communities into a city. **Status:** *Referred to Senate Committees on Local Government and Rules.*

**AB 1042 (Carter)      Local government: school siting and improvement.**  
Requires the governing board of a school district to comply with any city or county ordinance regulating drainage improvements and conditions, regulating road improvements or conditions, requiring the review or approval of grading plans, or requiring sidewalk improvements as these ordinance provisions relate to the design and construction of onsite improvements which affect drainage, road conditions, grading, or pedestrian access. **Status:** *Referred to Assembly Committees on Local Government and Education.*

**AB 1084 (Adams)      Local planning: development projects: fees.**  
Provides a time frame for notice relating to an increase or change in fees levied under the Mitigation Fee Act and establishes procedures for requesting an audit of those fees.  
**Status:** **Chapter 507, Statutes of 2009**

**AB 1098 (Hagman) Natural resources: resource conservation: Chino Agricultural Preserve.**  
Authorizes the County of San Bernardino to exchange property it owns within the Chino Agricultural Preserve that was purchased with those bond funds under the same conditions. The bill would revise one of those conditions to alternatively require the property received in an exchange and all the proceeds from a sale to be used for the improvement, operation, and maintenance of existing or replacement land within the Chino Agriculture Preserve. **Status:** *Referred to Assembly Committees on Local Government and Agriculture. In Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1109 (Blakeslee)      The Cortese-Knox-Hertzberg Act of 2000.**  
Authorizes a local agency formation commission (LAFCO) to order the administration of nonperforming districts, and requires a LAFCO to prepare a performance study, as specified. **Status:** *Referred to Assembly Local Government Committee. In committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1158 (Hayashi) Transit village plan.**

Would have added the characteristic of other land uses, including educational facilities that provide direct linkages for people traveling to and from primary and secondary education schools, community colleges, and universities, to the list of specified characteristics that a transit village plan may address.

**Status: Vetoed**

**AB 1232 (Huffman) Local agency formation commissions: powers and duties.**

Allows the Marin County Local Agency Formation Commission to initiate and approve, after notice and hearing, a reorganization or consolidation of the Sewerage Agency of Southern Marin and its member districts, without protest hearings.

**Status: Chapter 518, Statutes of 2009**

**AB 1331 (Duvall) Subdivision map approval: validity of map.**

Provides that the filing of a final or parcel map by the county recorder constitutes the final act in obtaining the right to subdivide according to the terms of the final or parcel map.

**Status: Referred to Assembly Local Government Committee.**

**AB 1408 (Krekorian) Subdivisions: Water Demand Mitigation Fund.**

Establishes a Water Demand Mitigation Fund (Fund) that a public water system may authorize a subdivision project applicant to voluntarily contribute to in order to offset at least 100% of the projected water demand associated with the subdivision, and requires all monies in the Fund to be expended on water conservation measures that will offset at least 100% of the subdivision's projected water demand. **Status: To Assembly Inactive File on motion of Assembly Member Krekorian.**

**AB 1582 (Local Government) Local agencies: spheres of influence.**

Makes several minor, non-controversial changes to the laws affecting local government organization and reorganization.

**Status: Chapter 155, Statutes of 2009**

**AB 81 (3<sup>rd</sup> Ex. Sess.) (Hall) Land use: City of Industry: stadium complex. \*\***

Exempts from the California Environmental Quality Act (CEQA) activities associated with development and operation of a stadium complex in the City of Industry, as specified, and further exempts actions taken by the City of Industry from any legal requirements concerning a general plan, or consistency with a general plan, as specified.

**Status: Chapter 30, Statutes of 2009-10 Third Extraordinary Session**

**SB 93 (Kehoe) Redevelopment: payment for land or buildings.**

Distinguishes between the public works projects that a redevelopment agency can finance inside and contiguous to redevelopment project areas and the public works projects that an agency can finance outside project areas.

**Status: Chapter 555, Statutes of 2009**

**SB 215 (Wiggins)      Local government: organization.**

Adds a regional transportation plan to the list of factors that local agency formation commissions (LAFCOs) must consider before making boundary decisions.

**Status: Chapter 570, Statutes of 2009**

**SB 326 (Strickland)      Land use: housing element.**

Allows, within the first year of the planning period of the new housing element, for the identification of adequate sites to accommodate the unaccommodated portion of the regional housing need from the prior planning period. **Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development. In Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**SB 406 (De Saulnier)      Land use: environmental quality.**

Would have authorized an additional fee of \$1 or \$2 on vehicle registrations through an existing fee mechanism, and proposes new duties, membership, and funding for the Strategic Growth Council (SGC) and the Planning Advisory and Assistance Council (PAAC).

**Status: Vetoed**

**SB 430 (Dutton)      Redevelopment: County of San Bernardino: disaster recovery project area.**

Extends the County of San Bernardino Redevelopment Agency's Cedar Glen Disaster Recovery Project Area's time limit from 10 years to 15 years for the plan's effectiveness.

**Status: Chapter 13, Statutes of 2009**

**SB 457 (Wolk)      Sacramento-San Joaquin Delta.**

Reforms the Delta Protection Commission to conform with other changes to delta resource management and governance. **Status:** *Referred to Assembly Committees on Water, Parks and Wildlife and Local Government. In Water, Parks and Wildlife: Set, second hearing. Further hearing to be set.*

**SB 505 (Kehoe)      Local planning: fire hazard impacts.**

Would have expanded the required contents of safety elements that cover state responsibility area lands and very high fire hazard severity zones, as specified.

**Status: Vetoed**

**SB 530 (Dutton)      Redevelopment: payments to taxing entities.**

Provides clean-up language to AB 1389 (2008), which requires redevelopment agencies established or expanded after January 1, 1994 to report specified information to county auditors.

**Status:** *Referred to Assembly Local Government Committee: Set, second hearing. Hearing canceled at the request of author.*

**SB 575 (Steinberg)      Local planning: housing element.**

Revises timelines for the adoption of the fifth revision of the housing element by specified local governments, provides for timelines for subsequent housing element revisions, and makes other changes related to the clean-up of SB 375 (Steinberg), Chapter 728, Statutes of 2008.

**Status: Chapter 354, Statutes of 2009**

**SB 792 (Leno) Tidelands and submerged lands: City and County of San Francisco: Hunters Point Naval Shipyard and Candlestick Point**

Repeals and readopts, with certain revisions, the Hunters Point Shipyard Conversion Act of 2002 (AB 2964 (Shelley), Chapter 464, Statutes of 2002), the Hunters Point Shipyard Public Trust Exchange Act (AB 768 (Leno), Chapter 435, Statutes of 2003), and Section 5006.8 of the Public Resources Code (relating to land exchanges at Candlestick Point).

**Status: Chapter 203, Statutes of 2009**

**SB 833 (Natural Resources and Water Committee) Natural resources: mining: conservation lands: Native American historical sites: tidelands and submerged lands.**

Makes technical and non-substantive changes to the Public Resources Code, Government Code, and uncodified statutes relating to the above subject areas.

**Status: Chapter 208, Statutes of 2009**

## **LOCAL GOVERNMENT FINANCE**

**AB 15 (Fuentes) Disaster relief.**

Adds the wildfires that occurred in Los Angeles and Ventura Counties in 2008 to the list of disasters eligible for full state reimbursement of local property tax losses, beneficial homeowners' property tax exemption treatment, and special "carry forward" treatment of excess disaster losses.

**Status:** *In Senate. To third reading.*

**AB 26 (4<sup>th</sup> Ex. Sess.) (Committee on Budget)**

**Community redevelopment: Supplemental Educational Revenue Augmentation Fund. \*\***

Shifts \$1.7 billion in redevelopment revenues to the Supplemental Educational Revenue Augmentation Fund in 2009-10, thereby benefiting the state General Fund. An additional \$350 million is shifted in 2010-11. Complying redevelopment agencies receive a one-year extension for the 2009-10 shift.

**Status: Chapter 21, Statutes of 2009-10 Fourth Extraordinary Session**

**AB 50 (Nava) Disaster relief.**

Adds several different wildfires to the list of disasters eligible for full state reimbursement of local agency costs, deletes provisions specifying what elements need to be included in local hazard mitigation plans, and adds the Santa Barbara County wildfire commencing in November of 2008, and the November 2008 wildfires in Orange, Riverside and San Bernardino Counties to provisions in code that allow for beneficial homeowners' property tax exemption treatment and favorable "carry forward" treatment of excess disaster losses. **Status:** *Passage refused in Senate. Reconsideration granted.*

**AB 79 (Duvall) Disaster relief.**

Adds the wildfires that occurred in Orange, Riverside, and San Bernardino Counties in 2008 to the list of disasters eligible for full state reimbursement of local property tax losses, beneficial homeowners' property tax exemption treatment, and special "carry forward" treatment of excess disaster losses. **Status:** *In Senate Appropriations Committee: Held under submission.*

**AB 155 (Mendoza)      Local government: bankruptcy proceedings.**

Authorizes a local public entity, with the approval of the California Debt and Investment Advisory Commission (CDIAC), and under CDIAC's terms and conditions, to file a petition and exercise powers pursuant to applicable federal bankruptcy law. **Status:** *In Senate Local Government Committee: Set, first hearing. Testimony taken. Further hearing to be set.*

**AB 182 (Committee on Budget) Community redevelopment: Supplemental Education Revenue Argumentation Fund. \*\***

Modifies the provisions enacted by AB 26 X4 (Chapter 21, Statutes of 2009) which shifted \$1.7 billion in redevelopment revenues to the Supplemental Educational Revenue Augmentation Fund in 2009-10, thereby benefiting the state General Fund. The modifications provide additional flexibility to redevelopment agencies (RDAs) in making the required transfer, and specifies the use of more recent RDA data in the calculation of the revenue shift. Provides additional flexibility to RDAs in making the required transfers and specifies the use of more recent RDA data in the calculation of the revenue shift. **Status:** *In Assembly. Concurrence in Senate amendments pending.*

**AB 185 (Committee on Budget) Property tax revenues: Proposition 1A receivables. \*\***

Provides the necessary statutory changes in the area of Proposition 1A of 2004 borrowing and securitization in order to amend the 2009 Budget Act. **Status:** *Read second time. To third reading.*

**AB 277 (Ammiano)      Transportation: local retail transaction and use taxes: Bay Area.**

Would have provided that the San Francisco County Transportation Authority (SFCTA) shall consist of the members who are elected officials as specified in the county transportation expenditures plan, and deletes the option of specifying SFCTA membership in the retail transactions and use tax ordinance.

**Status: Vetoed**

**AB 286 (Salas)      Vehicles: additional registration fees.**

Extends until 2018 existing provisions that allow counties to impose a \$1 vehicle registration fee, and adds additional reporting requirements for those counties that have adopted a resolution to impose the fee.

**Status: Chapter 230, Statutes of 2009**

**AB 349 (Silva)      State mandates.**

Requires the Director of Finance to provide to the Legislature all proposed statutory changes necessary to repeal reimbursable state mandates that have been suspended for three consecutive years in the Governor's Budget. **Status:** *Referred to Senate Budget/Fiscal Review Committee.*

**AB 474 (Blumenfield)      Contractual assessments: water efficiency improvements.**

Expands the authorization that allows public agencies to enter into contractual assessments to finance the installation of specified improvements to now include water efficiency improvements.

**Status: Chapter 444, Statutes of 2009**

**AB 548 (Krekorian) State mandates.**

Deletes the option that permits the Controller, in specified circumstances, to begin an audit of a reimbursement claim for actual costs within three years of the initial payment of a claim rather than the date on which the claim is filed or last amended. Extends from three years to four years the timeline for the Controller to initiate an audit on a reimbursement claim for actual costs.

**Status:** *To Senate Inactive File on motion of Senator Liu.*

**AB 594 (Harkey) State-mandated local programs. \***

Requires beginning January 1, 2010, legislation that mandates a new program or higher level of service on any local government to include a provision to repeal the enactment within six years and requires the Legislative Analyst to report on the enactment, except for legislation that specifically makes this requirement inapplicable, that contains a provision to repeal the enactment in less than six years, or that creates a new crime, changes the definition of a crime, or changes the penalty for a crime. **Status:** *In Assembly Local Government Committee: Set, second hearing. Hearing canceled at the request of author. From committee chair, with author's amendments.*

**AB 621 (Saldaña) County budget act. \***

Names as the "County Budget Act" the act that prescribes the procedures that county officials are required to follow when adopting their annual budgets and clarifies statutory definitions and their consistent uses for purposes of that act. **Status:** *In Assembly Local Government Committee: Set, second hearing. Hearing canceled at the request of author. From committee with author's amendments.*

**AB 775 (Cook) Local government finance.**

Prohibits the Controller from issuing registered warrants for the payment or repayment for any program performed by any city, county, city and county, or local governmental entity, pursuant to a legal requirement or an agreement with the state. **Status:** *Referred to Assembly Local Government Committee. Set, first hearing. Hearing canceled at the request of author.*

**AB 878 (Caballero) Infrastructure financing.**

Makes technical and clarifying changes to the statutory authorization for local governmental agencies to utilize private sector financing or contributions, public financing, and any combination thereof, to study, plan, design, construct, develop, finance, maintain, rebuild, improve, repair, or operate, or any combination thereof, fee-producing infrastructure facilities. **Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1004 (Portantino) Local government: emergency response.**

Prohibits a public agency, in making a determination of liability for purposes of seeking reimbursement for the expenses of any emergency response, from making residency a determining factor. **Status:** *To Assembly Inactive File on motion of Assembly Member Torrico.*



**AB 1339 (V. Manuel Perez) Property tax revenue allocations: Imperial County Free Library.** Forgives the Imperial County Free Library from the obligation to repay property tax revenues that were allocated to the library in Imperial County from 2001-02 through 2006-07.  
**Status:** *In Senate Appropriations Committee: Held under submission.*

**AB 1342 (Evans) Local taxation: income taxes: vehicle license fees.**  
Authorizes a board of supervisors of any county, by ordinance, to place on the ballot a local personal income tax or local vehicle license fee, or both, in accordance with all constitutional and statutory requirements. **Status:** *Referred to Assembly Committees on Local Government and Revenue and Taxation. In Revenue and Taxation Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1388 (Hernandez) Local agencies: general obligation bonds.**  
Allows local agencies to issue and sell general obligation (GO) bonds through the negotiated sale method for a price at, above, or below par value.  
**Status:** **Chapter 529, Statutes of 2009**

**AB 1568 (Salas) Property taxation: disaster relief: Children's Health and Human Services Special Fund. \*\***  
Adds specified wildfires to the list of disasters eligible for beneficial homeowners' property tax exemption treatment, and special "carry forward" treatment of excess disaster losses and creates the Children's Health and Human Services Special Fund in the State Treasury.  
**Status:** **Chapter 299, Statutes of 2009**

**ACA 9 (Huffman) Local government bonds: special taxes: voter approval.**  
Makes changes to the voting requirements contained in the California Constitution for special taxes and bonded indebtedness for local governments.  
**Status:** *From Assembly Appropriations Committee: To Third Reading.*

**ACA 15 (Arambula) Local government transportation projects: special taxes: voter approval.**  
Lowers the constitutional vote requirement for approval of a special tax specifically for providing funding for local transportation projects from two-thirds to a 55% majority.  
**Status:** *To Assembly Inactive File on motion of Assembly Member Arambula.*

**SB 27 (Hancock) Local agencies: sales and use tax: reallocation.**  
Prohibits a local agency from entering into any form of agreement with a retailer that would involve the shifting of any amount of Bradley-Burns local tax proceeds if the agreement results in a reduction in the amount of revenue that is received by another local agency from the same retailer if it is located within that other local agency, and continues to maintain a physical presence and location there.  
**Status:** **Chapter 4, Statutes of 2009**

**SB 67 (Committee on Budget and Fiscal Review) Property tax revenues: Proposition 1A receivables. \*\***

Makes clean up revisions to the Proposition 1A (2004) suspension and securitizing provisions of the July 2009-10 Budget Act enacted through AB 15 X4 (Chapter 14, Statutes of 2009-10 Fourth Extraordinary Session).

**Status: Chapter 634, Statutes of 2009**

**SB 85 (Cogdill) Local government finance.**

Requires the county auditor of a "negative sum" county, beginning in the 2011-12 fiscal year, when determining the reduction of property tax revenues to the county, to apply a specified reduction amount formula.

**Status: Assembly Third Reading.**

**SB 88 (DeSaulnier) Local government bankruptcy. \*\***

Prohibits a local public entity, as defined, from exercising its rights under applicable federal bankruptcy law unless granted approval by the California Debt and Investment Advisory Commission (CDIAC), and specifies procedures in which the local public entity may override a decision of denial by CDIAC. **Status: Referred to Senate Rules Committee.**

**SB 101 (Local Government Committee) Validations.**

Enacts the First Validating Act of 2009, which validates the organization, boundaries, acts, proceedings, and bonds of the state, counties, cities, special districts, school districts, redevelopment agencies, and other public agencies.

**Status: Chapter 2, Statutes of 2009**

**SB 102 (Local Government Committee) Validations.**

Enacts the Second Validating Act of 2009, which validates the organization, boundaries, acts, proceedings, and bonds of the state, counties, cities, special districts, school districts, redevelopment agencies, and other public agencies.

**Status: Chapter 163, Statutes of 2009**

**SB 103 (Local Government Committee) Validations.**

Enacts the Third Validating Act of 2009, which validates the organization, boundaries, acts, proceedings, and bonds of the state, counties, cities, special districts, school districts, redevelopment agencies, and other public agencies.

**Status: Chapter 164, Statutes of 2009**

**SB 205 (Hancock) Traffic congestion: motor vehicle registration fees.**

Authorizes a countywide transportation planning agency to place a local measure on the ballot that would impose a fee of up to \$10 on each registered vehicle in that county. **Status: In Assembly Appropriations Committee: Set, second hearing. Held in committee and under submission.**

**SB 321 (Benoit)                      Local government: assessments: election requirements.**  
Imposes additional requirements on local governments when conducting assessment ballot proceedings pursuant to Proposition 218.  
**Status: Chapter 580, Statutes of 2009**

**SB 501 (Correa)                      California Debt Limit Allocation Committee**  
Clarifies that the California Debt Limit Allocation Committee (CDLAC) may allow a local agency to apply for an allocation of the state's private activity bond authority even if the county in which that local agency is located has not applied. **Status: Placed on Assembly Inactive File on request of Assembly Member Torrico.**

**SB 636 (Ashburn)                      Vehicle license fees.**  
Allows Nevada County to redirect proceeds from an increase in vehicle license fee (VLF) funds contained in the February 2009 State Budget.  
**Status: Chapter 605, Statutes of 2009**

**SB 676 (Wolk)                      Local fees.**  
Increases or eliminates the statutory limits on 11 fees.  
**Status: Chapter 606, Statutes of 2009**

**SB 684 (Cogdill)                      Local government finance.**  
Requires the county auditor of a "negative sum" county, beginning in the 2011-12 fiscal year, when determining the reduction of property tax revenues to the county, to apply a reduction amount equal to its 2010-11 reduction amount. **Status: In Assembly Appropriations Committee: Set, second hearing. Held in committee under submission.**

**SB 822 (Revenue and Taxation Committee) Property taxation: local administration.**  
Makes various non-controversial changes to the administrative provisions of property tax law.  
**Status: Chapter 204, Statutes of 2009**

## **LOCAL POWERS AND DUTIES**

**AB 18 (Knight)                      Local government: city councils.**  
Would have extended the amount of time that a city council has to fill a vacancy in an elective city office from 30 days to 60 days. Changes the number of city council members that hold office following the first general municipal election in a newly incorporated city that elects council members at large.  
**Status: Vetoed**

**AB 77 (Jeffries)                      Vehicles: notice of delinquent parking violation.**  
Requires a parking processing agency to verify that all notices of delinquent parking violations substantially match the corresponding information on the registration of the vehicle and to cancel the parking violation if the information is not a match. Deletes the requirement that a person

provide a written request for cancellation of the parking violation to the parking processing agency. **Status:** *Referred to Assembly Committees on Transportation and Local Government: In Transportation Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 116 (Beall)                      Transportation authorities and districts: contracts.**

Revises the procurement requirements for the purchase of supplies, equipment, and materials by the Santa Clara Valley Transportation Authority, the Alameda-Contra Costa Transit District, the San Mateo County Transit District, and the Golden Gate Bridge, Highway and Transportation District.

**Status:** **Chapter 408, Statutes of 2009**

**AB 288 (Nestande)                Vector control.**

Requires a mosquito abatement and vector control district board of trustees to adopt a formal written response to an irregularity or accounting issue identified in a regular audit, and requires a mosquito abatement and vector control district, before it levies special benefit assessments, to provide notice regarding the proposed assessment to the appointing authority. **Status:** *In Senate Appropriations Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 348 (Salas)                    South Bay Irrigation District: directors.**

Eliminates the landownership requirement for the purpose of being elected to, or serving on, the Board of Directors of the South Bay Irrigation District.

**Status:** **Chapter 99, Statutes of 2009**

**AB 397 (Jeffries)      So. Coast Air Quality Management District: election of board members.**

Requires the members of the South Coast Air Quality Management District governing board to be elected by divisions commencing with the 2012 general election. **Status:** *Referred to Assembly Committees on Local Government and Natural Resources.*

**AB 405 (Caballero)            Public contracts: health care districts: design-build.**

Authorizes a health care district, upon approval of its board of directors, to use a design-build procedure when assigning contracts for the construction of a building or improvements directly related to the construction of a hospital or health facility building.

**Status:** *In Assembly Appropriations Committee: Hearing postponed by committee.*

**AB 419 (Caballero)            Joint powers agreements: water utilities.**

Authorizes a water utility that is regulated by the Public Utility Commission to enter into a joint powers agreement with one or more public agencies and other water suppliers if the purpose of the joint powers agreement pertains to regional or local water management.

**Status:** *In Assembly Local Government Committee: Hearing postponed by committee.*

**AB 486 (Chesbro)              Local government: emergencies.**

Eliminates the distinction between a governing body that meets weekly and nonweekly, and requires any governing body to review the continuing need for a local emergency at least once every 30 days until the local emergency is terminated.

**Status:** **Chapter 6, Statutes of 2009**

**AB 528 (Silva)                      Local government: reorganization: expenditure reporting.**  
Conforms the reporting and disclosure requirements of campaigns associated with local boundary changes in the Cortese-Knox-Hertzberg Act with the requirements of the Political Reform Act.

**Status: Chapter 113, Statutes of 2009**

**AB 544 (Coto)                      Joint powers agreement: Tule River Tribal Council. \***  
Amends the Joint Exercise of Powers Act to authorize the Tule River Tribal Council to enter into a joint power agreement with the City of Porterville to create a joint powers agency, known as the Porterville Airport Area Development Authority, for the sole purpose of developing approximately 1,200 acres of land in the vicinity of the Porterville Airport. **Status:** *Referred to Assembly Local Government Committee: from committee with author's amendments.*

**AB 610 (Caballero)              Local infrastructure.**  
Requires the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects. **Status:** *In Assembly Local Government Committee: hearing postponed by committee.*

**AB 621 (Saldaña)                Local agencies: certificated motor carriers of property. \***  
Prohibits a city or county from contracting or subcontracting with, or otherwise engaging the services of, a motor carrier of property until the contracted motor carrier of property provides certification. **Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author. From committee with author's amendments.*

**AB 644 (Caballero)              Monterey-Salinas Transit District Act.**  
Creates the Monterey-Salinas Transit District Act.  
**Status: Chapter 460, Statutes of 2009**

**AB 715 (Caballero)              City and county ordinances: publishing and posting requirements.**  
Authorizes cities and counties to post, within 15 days of passage, adopted ordinances on their official Internet websites instead of publishing the ordinances in general circulation newspapers. Requires a city or county that chooses to post an adopted ordinance on its website to also mail within 15 days of passage a notice of adoption to anyone who sent in a written request to receive mailed notices. Requires a city or county that posts an adopted ordinance on its website to publish a legal advertisement in a general circulation newspaper containing specified information. **Status:** *In Senate Local Government Committee: Hearing for testimony only.*

**AB 772 (Ammiano)              The Local Government Identification Act.**  
Would have established the Local Government Identification Act, which would authorize counties to issue local identification cards to persons who can provide proof of identity and proof of residency within the county.  
**Status: Vetoed**

**AB 881 (Huffman) Sonoma County Regional Climate Protection Authority.**  
Creates, until December 1, 2015, the Sonoma County Regional Climate Protection Authority.  
**Status: Chapter 375, Statutes of 2009**

**AB 904 (V. Manuel Perez) Local capital investment incentives: qualified manufacturing facilities.**  
Specifies that a business engaged in the manufacturing of parts or components related to the production of electricity using solar, wind, biomass, hydropower, or geothermal resources on or after July 1, 2010, is eligible under the California Investment Incentive Program.  
**Status: Chapter 486, Statutes of 2009**

**AB 958 (Eng) Design-build: Metropolitan Water District of Southern California.**  
Would have authorized the Metropolitan Water District of Southern California to use a design-build procedure for contracts involving the design, construction, fabrication, and installation of a solar energy system in excess of \$1 million.  
**Status: Vetoed**

**AB 1041 (Strickland) Drinking water: private wells: county regulation.**  
Prohibits a city, county, or city and county from regulating a private water system with four or fewer service connections. **Status:** *Referred to Assembly Committees on Environmental Safety and Toxic Materials and Local Government. In Environmental Safety and Toxic Materials Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1172 (Galgiani) Eastern San Joaquin County Water District.**  
Provides, upon the consolidation or reorganization of the Stockton-East Water District and the Central San Joaquin Water Conservation District into one single water conservation district, for conditions for which the board membership of the single water conservation district could be increased, and allows, under specified conditions, for the single district to continue to collect charges and groundwater assessments.  
**Status: Chapter 514, Statutes of 2009**

**AB 1176 (Ammiano) Infrastructure financing districts: City/County of San Francisco.**  
Would have revised the special statute that controls how local officials can form, finance, and operate an infrastructure financing district along the San Francisco waterfront, at Pier 70, on land that is under the jurisdiction of the Port of San Francisco.  
**Status: Vetoed**

**AB 1192 (Strickland) Cities: powers.**  
Prohibits a city's legislative body from selling or leasing any existing public improvement to a private or public entity for the purposes of renting or leasing back or repurchasing through installment payments that existing public improvement and declares this is a statewide concern.  
**Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1204 (Huber) El Dorado County Transportation Commission.**

States the intent of the Legislature that the membership of the El Dorado County Transportation Commission be comprised of individuals equally balanced from all regions within El Dorado County outside of the Tahoe Basin. **Status:** *Re-referred to Assembly Local Government Committee.*

**AB 1229 (Evans) Public contracts: local public agencies: prospective bidders.**

Requires any public entity requiring prospective bidders to complete and submit questionnaires and financial statements in a form prepared and provided to the public entity by the Contractors State License Board. **Status:** *Referred to Assembly Committees on Business and Professions and Local Government. In Business and Professions Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 1409 (John A. Perez) Public contracts: county highways: work authorizations.**

Changes the authorization for a county board of supervisors to direct a road commissioner or a registered civil engineer under the direction of the county director of transportation to enter into contracts for work upon county highways. **Status:** *In Senate Transportation and Housing Committee: Hearing postponed by committee.*

**SB 43 (Alquist) Joint powers agencies: City of Santa Clara.**

Authorizes the City of Santa Clara and the Redevelopment Agency of Santa Clara as a joint powers agency, the Santa Clara Stadium Authority, to construct, operate, or maintain a stadium for use by a professional football team using a specified design-build authority.

**Status:** Chapter 330, Statutes of 2009

**SB 99 (Local Government Committee) Joint exercise of powers: reporting and disclosures.**

Imposes additional transparency and accountability requirements on conduit financing providers in California.

**Status:** Chapter 557, Statutes of 2009

**SB 113 (Local Government Committee) Local Government Omnibus Act of 2009.**

Enacts the "Local Government Omnibus Act of 2009" and makes 39 changes to the state laws affecting local agencies' powers and duties.

**Status:** Chapter 332, Statutes of 2009

## **OPEN MEETINGS & CONFLICT OF INTEREST**

**AB 137 (Jeffries) Open meetings: advisory committees.**

Revises the definition of "legislative body" under the Ralph M. Brown Act to exclude advisory committees composed solely of the members of the legislative body that are less than a quorum of the legislative body and whose subject matter jurisdiction has cumulatively lasted for two years or less. **Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 746 (Coto) Conflicts of interest.**

Requires an independent contractor not be deemed interested in a contract executed on or after September 1, 2008, as a result of the independent contractor's preparation, at the request of a governmental entity, of a document that serves a purpose independent of the contract or any bid-related documents. **Status:** *In Senate Local Government Committee: Hearing postponed by committee.*

**AB 1004 (Portantino) Open meetings: teleconferences. \***

Deletes the requirement that at least a quorum of the members of the body participating in a teleconferenced meeting be located within the boundaries of the territory over which the local agency exercises jurisdiction. **Status:** *Referred to Assembly Local Government Committee: from committee chair, with author's amendments.*

## **SPECIAL DISTRICTS**

**AB 28 (Jeffries) Natural gas engines: emissions limitation requirements.**

Prohibits air pollution control districts and air quality management districts (local air districts) from imposing specified emissions, testing, and reporting requirements for natural gas engines. **Status:** *Referred to Assembly Committees on Natural Resources and Local Government. In Natural Resources Committee: Set first hearing. Failed passage. Reconsideration granted.*

**AB 116 (Beall) Transportation authorities and districts: contracts.**

Revises procurement requirements for the purchase of supplies, equipment, and materials by the Santa Clara Valley Transportation Authority, Alameda-Contra Costa Transit District, San Mateo County Transit District, and Golden Gate Bridge, Highway and Transportation District. **Status:** **Chapter 408, Statutes of 2009**

**AB 139 (Brownley) Los Angeles County Flood Control District: fees.**

Authorizes the Los Angeles County Flood Control District to impose a fee to pay the cost and expenses of carrying out projects and providing services to improve water quality and reduce stormwater and urban runoff in the District and provides for a division of those fees collected between the District and other jurisdictions within the boundaries of the District.

**Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 251 (Knight) Los Angeles County Metropolitan Transportation Authority.**

Reconfigures the make up of the Los Angeles County Metropolitan Transportation Authority (LAMTA) Board by removing one of the public members appointed by the Mayor of the City of Los Angeles and adding the appointment of one member by the city councils of the Cities of Palmdale, Lancaster, and Santa Clarita. **Status:** *From Assembly Local Government Committee without further action pursuant to Joint Rule 62(a).*



**AB 466 (Coto) Santa Clara Valley Water District.**

Makes various changes to the Santa Clara Valley Water District's enabling act.

**Status:** Chapter 443, Statutes of 2009

**AB 760 (Solorio) Orange County Fire Authority: Joint Forces Training Base.**

Requires the state, by July 1, 2010, to enter into a contract with the Orange County Fire Authority (OCFA) to authorize OCFA to provide fire protection services, paramedic services, aircraft rescue firefighting, dispatching services, fire prevention services, and all other related services to the Joint Forces Training Base in the City of Los Alamitos. **Status:** *In Assembly Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 817 (Nestande) Government liability: special districts: indemnification.**

Requires the state to indemnify, and the Attorney General to defend, a special district, and its officers employees, agents, and subcontractors, against any claim for damages arising from any authorized recreational use of public lands of the special district, and would require the state to indemnify a claim for damages arising therefrom. **Status:** *Referred to Assembly Committees on Local Government and Judiciary. In Local Government Committee: Set, first hearing. Hearing canceled at the request of author.*

**AB 827 (Yamada) Records.**

Authorizes a county board of supervisors to impose a fee, not to exceed estimated reasonable costs as well as not to exceed \$3 for the first page and \$1 for any subsequent page, for the archiving of historical county records, including, but not limited to, records pertaining to real property, local agency meetings and actions, roads and other public works, and other records of general public or historical interest. **Status:** *To Senate Inactive File on motion of Senator Yee.*

**AB 1427 (Hayashi) Hospital districts.**

Provides that before a hospital district transfers an emergency or urgent care department to one or more corporations or to a county hospital, the hospital district board has to submit the transfer to the voters. **Status:** *Re-referred to Local Government Committee.*

**AB 1427 (Hayashi) Alameda County Hospital Authority. \***

Authorizes the Alameda County Hospital Authority (Authority) to impose a special tax and provides that the Authority is to be established within Alameda County. **Status:** *In Assembly Local Government Committee: Set, second hearing. Hearing canceled at the request of author. From committee chair, with author's amendments.*

**AB 1436 (Portantino) Hospital districts.**

Provides that district powers include ownership and would revise the definition of health care facilities for purposes of this power to expressly include public hospitals, as defined.

**Status:** *Referred to Assembly Committees on Health and Local Government: In Health Committee: Set, first hearing. Hearing canceled at the request of author.*

**SB 198 (Cogdill)      Health care districts: John C. Fremont Health Care District.**  
Extends the repayment period for local health care districts' lines of credit from five years to 20 years provided that the line of credit is established on or after January 1, 2010, for the sole purpose of consolidating past debt.  
**Status: Chapter 37, Statutes of 2009**

**SB 211 (Simitian)      Park district formation: County of Santa Cruz.**  
Authorizes the Santa Cruz County Board of Supervisors to initiate the formation of a regional park and open-space district with boundaries that are coterminous with Santa Cruz County, except for specified territory and prescribes specific requirements for said district.  
**Status: Placed on Assembly Inactive File on request of Assembly Member Torrico.**

**SB 263 (Strickland)      Local government: community service districts.**  
Includes the Santa Rita Hills Community Services District as a community services district authorized to limit access to roads it owns to the landowners and residents of that district.  
**Status: Chapter 11, Statutes of 2009**

**SB 279 (Hancock)      Local government: community facilities districts.**  
Would have added the acquisition, installation, and improvement of energy efficiency, water conservation, and renewable energy improvements that are affixed to the types of facilities that a community facilities district may finance, or refinance, regardless of whether the buildings or property are privately or public owned.  
**Status: Vetoed**

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